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[Some Trademarks Die Hard, Some Are Just Numb](#)

Posted on April 19, 2011 by [Steve Baird](#)

Likelihood of confusion? Likelihood of dilution? Blurring? Tarnishment? All to the left?



To closely examine Sears' most recent trademark infringement and dilution law suit and complaint concerning the DIEHARD brand against the maker of [DieHard Spray](#) ("a numbing agent for male genitalia"), check out *Sears, Roebuck & Co. v. Rockhard Laboratories, Inc.*, venued in the Northern District of Illinois ([Complaint](#)) ([Exhibit 1](#)) ([Exhibit 2](#)).

I'm left wondering, might Bruce Willis make a cameo appearance in this trademark fight?



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By the way, it appears that Sears is not the only affected trademark owner, Twentieth Century Fox owns the DIE HARD trademark for a "[series of motion picture films](#)," a "[computer game and CD Roms](#)," and a service mark for "[entertainment services](#)." Also, check out the [red/white/black](#) trade dress.

Do you suppose they flipped a coin or arm-wrestled to decide who would do the honors?



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